

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 21, 2020

SEAN F. MCAVOY, CLERK

U.S.A. vs. Ortega, Bianca Docket No. 0980 4:19CR06061-SAB-3

Petition for Action on Conditions of Pretrial Release

COMES NOW Linda J. Leavitt, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Bianca Ortega, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Mary K. Dimke sitting in the court at Yakima, Washington, on the 29th day of October 2019, under the following conditions:

Standard Conditions of Release #4 (District of Oregon): The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear as directed by U.S. District Court.

Additional Conditions of Release (District of Oregon): The defendant shall submit to testing for prohibited substance if required by the pretrial services officer or supervising officer.

Additional Conditions of Release (District of Oregon): Participate in drug/alcohol assessment and undergo counseling as directed by U.S. Pretrial Services.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Violation #3: Bianca Ortega is alleged to be in violation of her pretrial release conditions by failing to submit to random urine testing as directed in the Western District of Washington (WD/WA) by the supervising officer on November 27, December 2, and December 3, 2019.

Conditions of pretrial release were reviewed with Ms. Ortega by the Western District of Washington, United States Probation Officer (USPO) Williams, on October 22, 2019. She acknowledged an understanding of her conditions, which included the additional conditions of release as ordered by the District of Oregon.

According to the supervising officer, Ms. Ortega failed to show for her random urine testing as required at the Cowlitz Family Health Center in Kelso, Washington on November 27th, December 2nd, and December 3, 2019.

Per the supervising officer, on December 3, 2019, he conducted a home visit and directed Ms. Ortega to submit to a random urine sample, due to Ms. Ortega missing the random urine sample the day prior (December 2, 2019) at the Cowlitz Family Health Center. According to the supervising officer, he waited for 45 minutes and Ms. Ortega attempted three times but was unable to submit to the random sample. As a result of this, the supervising officer directed Ms. Ortega to go to the Cowlitz Family Health Center this date and submit to a urine sample by the close of business. Ms. Ortega failed to show as directed.

Violation #4: Bianca Ortega is alleged to be in violation of her pretrial release conditions by failing to attend her chemical dependency assessment as directed on December 12, 2019.

Conditions of pretrial release were reviewed with Ms. Ortega by the Western District of Washington, United States Probation Officer (USPO) Williams, on October 22, 2019. She acknowledged an understanding of her conditions, which included the additional conditions of release as ordered by the District of Oregon.

According to the supervising officer, Ms. Ortega was directed to secure a chemical dependency assessment at the Cowlitz Family Health Center in Kelso, Washington. The defendant had a substance abuse evaluation scheduled for November 15, 2019, at 1 p.m.; however, the treatment provider rescheduled the appointment for November 25, 2019. The officer reported

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Ms. Ortega failed to attend the rescheduled assessment on November 25, 2019, and it was rescheduled again for December 12, 2019. Ms. Ortega again failed to show for the rescheduled assessment on December 12, 2019.

Violation #5: Bianca Ortega is alleged to be in violation of her pretrial release conditions by failing to show for her pretrial conference in the Eastern District of Washington (ED/WA) as scheduled on December 11, 2019.

Conditions of pretrial release were reviewed with Ms. Ortega by the Western District of Washington, United States Probation Officer (USPO) Williams, on October 22, 2019. She acknowledged an understanding of her conditions, which included the additional conditions of release as ordered by the District of Oregon.

On December 11, 2019, a pretrial conference was held before the Honorable Stanley A. Bastian in the ED/WA. However, Ms. Ortega failed to show and a warrant was issued.

On December 12, 2019, this officer was contacted by the supervising officer in the WD/WA, who advised he directed Ms. Ortega to self-surrender to the Yakima Probation Office this date; however, Ms. Ortega advised she and her sister were pulled over by the Washington State Patrol in the city of Morton, Washington. Her sister did not have a valid driver's license and the vehicle was impounded. According to Ms. Ortega, she did not have a way to get to Yakima.

On December 16, 2019, the supervising officer contacted this officer and advised Ms. Ortega was going to turn herself into the local authorities in Kelso, Washington, on the warrant. The officer advised he checked Ms. Ortega's location via BI Total Access at the close of business and per BI mapping, Ms. Ortega was located at home.

On December 20, 2019, Ms. Ortega was arrested in the WD/WA on the warrant issued by the Honorable Stanley A. Bastian; however, according to the District of Oregon, due to the location of where Ms. Ortega was arrested, the closest Court was located in Multnomah County, Oregon. This officer contacted the District of Oregon to follow up on the arrest and see if there were any new charges in Oregon stemming from the arrest. This officer was advised Ms. Ortega had no new or pending charges in Oregon, and Ms. Ortega was only seen on the ED/WA warrant.

PRAYING THAT THE COURT WILL INCORPORATE THE ABOVE VIOLATIONS WITH VIOLATIONS
PREVIOUSLY REPORTED TO THE COURT

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: 01/21/2020

by s/Linda J. Leavitt

Linda J. Leavitt
U.S. Pretrial Services Officer

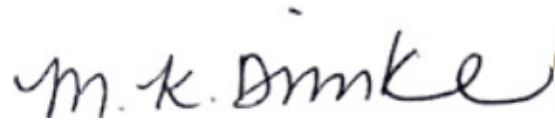
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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other

Signature of Judicial Officer

1/21/2020

Date